

HOUSE BILL 1818
By Rinks

AN ACT to amend Tennessee Code Annotated, Title 41,
Chapter 24, relative to contracts for correctional
services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 41-24-104(c), is amended by
deleting subdivision (2) in its entirety and by substituting instead the following:

(2) No proposal shall be accepted unless:

(A) Such proposal offers a level and quality of services which are
at least equal to those which would be provided by the state in
accordance with the provisions of section 41-24-105; and

(B) The cost of the private operation and the cost to the state to
monitor the private operation, shall be less than the state's cost for
essentially the same services in accordance with the provisions of section
41-24-105 as determined by the department of correction and reviewed
by the office of the comptroller.

SECTION 2. Tennessee Code Annotated, Section 41-24-105(c), is amended by
deleting the subsection in its entirety and by substituting instead the following:

(c) After the first two (2) years of operation, but before renewing the initial
contract, the performance of the contractor shall be compared to the performance of the
state for similar services as set out in the contract. The contract may be renewed only if
the contractor is providing essentially the same quality of services as the state at a cost
less than the state as set out in the contract, or if the contractor is providing services

superior in quality to those provided by the state at essentially the same cost as set out in the contract.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.